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UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Trademark Application

Serial No. : 75/478,450  
Filed : May 4, 1998  
Published : August 27, 2002  
Applicant : Nutri Pharma ASA  
Mark : ABACOR  
International Class : 5



12-23-2002

U.S. Patent &amp; TMO/TM Mail Rcpt Dt. #78

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TRAD. OFF. 12/23/02

MOTION ON CONSENT FOR EXTENSION  
OF TIME TO FILE OPPOSITION

Kos Pharmaceuticals, Inc., a Florida corporation having its principal place of business at 1001 Brickell Bay Drive, 25<sup>th</sup> Floor, Miami, Florida 33131, hereby moves for a thirty (30) day extension of time within which to file a Notice of Opposition with respect to the above-identified application. The time within which a Notice of Opposition may be filed expires on December 25, 2002. If this motion is granted, the time within which the prospective opposer may file a Notice of Opposition would be extended to and include January 24, 2003.

The parties are actively involved in negotiating a resolution of this dispute. The additional time is needed to enable the parties to determine whether this matter may be resolved without a formal opposition. Thus, the foregoing request is made in good faith and not for purposes of delay and is being submitted in triplicate in accordance with Trademark Rule 2.102(d).

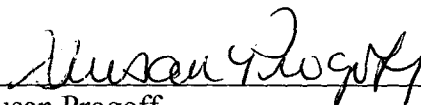
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Jason A. Bernstein, attorney for Nutri Pharma ASA, has consented to this request.

Respectfully submitted,

FISH & NEAVE

Dated: December 19, 2002

By:   
Susan Progoff  
Kristen L. Fancher

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Attorneys for Prospective Opposer,  
Kos Pharmaceuticals, Inc.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on the date which appears below:



Name

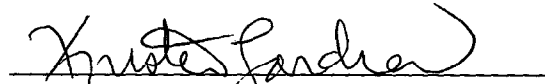
December 19, 2002

Date of the Signature and Deposit

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of December, 2002, a true and correct copy of the foregoing Opposer's Motion on Consent for Extention of Time to File Opposition was served upon counsel for Nutri Pharma ASA by first class mail, postage prepaid, addressed as follows:

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Kristen L. Pancher